

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

May 15, 2006

At 9:31 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Nicholson, Associate Justice; Robie, Associate Justice; Butz, Associate Justice; and Guzman, bailiff.

C049156 THE PEOPLE v. GORDON

Cause called. George L. Schraer, court appointed counsel, argued for appellant. Paul E. O'Connor, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:58 a.m., the court recessed. At 10:05 a.m., the court reconvened with Morrison, Associate Justice; Robie, Associate Justice; and Cantil-Sakauye, Associate Justice.

C049956 HAMM v. FOXX et al.

Cause called. Richard Hamm, Attorney At Law, argued for himself. Robert W. Lucas, argued for respondents. Cause submitted.

At 10:15 a.m., the court recessed. At 10:25 a.m., the court reconvened.

C050326 JEE et al. v. GLEN FALLS INSURANCE COMPANY et al.

Cause called. Kevin P. Hall argued for appellants. Joyce C. Wang argued for respondents. Cause submitted.

C047734 METCALF, a Minor, etc. et al. v. COUNTY OF SAN JOAQUIN et al.

Cause called. Tony J. Tanke argued for appellants. Andrew N. Eshoo argued for respondents. Cause submitted.

At 11:08 a.m., the court recessed. At 2:04 p.m., the court reconvened with Morrison, Associate Justice; Robie, Associate Justice; and Cantil-Sakauye, Associate Justice.

C050514 BASSETT et al. v. LAKESIDE INN, INC. et al.

Cause called. Gerard A. Rose argued for appellants. Steven E. Guinn and Leith B. Hansen argued for respondents. Cause submitted.

At 2:44 p.m., the court recessed. At 2:49 p.m., the court reconvened with Morrison, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

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At 9:32 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Morrison, Associate Justice; Hull, Associate Justice; Butz, Associate Justice; and Guzman, bailiff.

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May 16, 2006, continued

**C049317 RAMORINI-SELF v. PAULSEN and COUNTY OF CALAVERAS CENTRAL
SIERRA CHILD SUPPORT AGENCY (Not for Publication)**

The judgment is affirmed. Ramorini-Self shall recover costs on appeal.

RAYE, J.

We Concur: Sims, Acting P.J.
 Nicholson, J.

C049808 In re ALI A.; THE PEOPLE v. ALI A. (CERTIFIED FOR PUBLICATION)

The judgment (order of probation) is affirmed.

ROBIE, J.

We Concur: Sims, Acting P.J.
 Hull, J.

C048480 THE PEOPLE v. SCHARF (Not for Publication)

THE COURT:

It is ordered that the opinion filed herein on April 24, 2006, be modified as follows:...

...This modification does not change the judgment.

Appellant's petition for rehearing is denied.

BY THE COURT:

NICHOLSON, Acting P.J.

ROBIE, J.

BUTZ, J.

May 17, 2006

At 9:35 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Blease, Associate Justice; Morrison, Associate Justice; Cantil-Sakauye, Associate Justice; and Facey, bailiff.

C049509 MAXEY et al. v. BRIDGESTONE/FIRESTONE NORTH AMERICAN TIRE

Cause called. Brian A. Yapko argued for appellants. Angus M. MacLeod argued for respondent. Cause submitted.

At 9:52 a.m., the court recessed until 9:30 a.m., Thursday, May 18, 2006.

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The Minutes

May 17, 2006, continued

- C048444 THE PEOPLE v. XIONG (Not for Publication)**
The abstract of judgment is corrected...
...The trial court is directed to prepare an amended abstract of judgment incorporating these corrections and modifications and to forward a certified copy to the Department of Corrections and Rehabilitation. As corrected and modified, the judgment is affirmed.
BUTZ, J.
We Concur: Davis, Acting P.J.
Morrison, J.
- C048981 THE PEOPLE v. THOMAS (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Raye, Acting P.J.
Robie, J.
- C049381 THE PEOPLE v. ESTRADA (Not for Publication)**
The judgment is affirmed.
DAVIS, J.
We Concur: Blease, Acting P.J.
Hull, J.
- C049420 THE PEOPLE v. SOTO (Not for Publication)**
The judgment is modified... As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.
BUTZ, J.
We Concur: Scotland, P.J.
Davis, J.
- C050458 THE PEOPLE v. BALLARD (Not for Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Scotland, P.J.
Davis, J.
- C050179 BISHOP v. EISENMAN (Not for Publication)**
The order is affirmed. The matter is remanded for the trial court to consider Melissa's request for attorney fees.
DAVIS, Acting P.J.
We Concur: Nicholson, J.
Butz, J.

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The Minutes

May 17, 2006, continued

C047946 In re JOSEPH M.; THE PEOPLE v. JOSEPH M.

(Not for Publication)

The juvenile court's order requiring the minor to register as a gang member pursuant to Penal Code section 186.30, subdivision (b) (3) is reversed. The matter is remanded to the juvenile court for a new hearing, if desired, on the question of gang evidence. The order committing the minor to the Youth Authority is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Sims, Acting P.J.

Raye, J.

C050257 In re BLONG V.; THE PEOPLE v. BLONG V.

(Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Scotland, P.J.

Davis, J.

**C050566 DANIEL V. v. THE SUPERIOR COURT OF SAN JOAQUIN COUNTY and THE
C051071 PEOPLE**

BY THE COURT:

The request of Real Party in Interest for modification of the opinion filed May 2, 2006, is denied.

NICHOLSON, Acting P.J.

May 18, 2006

At 9:32 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Davis, Associate Justice; Raye, Associate Justice; and Facey, bailiff.

C050249 HARRINGTON v. HOVANEK

Cause called. J. Jeffries Goodwin, J.D. argued for appellant. Corey Evans argued for respondent. Cause submitted.

At 10:07 a.m., the court recessed until 9:30 a.m., Friday, May 19, 2006.

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The Minutes

May 18, 2006, continued

**C050202 HAWKINS, JR. v. PACIFIC COAST BUILDING PRODUCTS, INC.
(Not for Publication)**

The judgment is affirmed. Pacific Coast shall recover its costs on appeal.
(Cal. Rules of Court, rule 27(a).)

ROBIE, J.

We Concur: Scotland, P.J.
 Blease, J.

C047564 In re ROBERT THOMAS on Habeas Corpus.

The judgment (order) is reversed, and the superior court is directed to
enter a new and different order denying the petition for writ of habeas corpus...

NICHOLSON, J.

We Concur: Blease, Acting P.J.
 Cantil-Sakauye, J.

**C049374 THE PEOPLE v. PITTS
BY THE COURT:**

Respondent's petition for rehearing is denied.
BLEASE, Acting P.J.

**C050631 In re DONYAE P. et al.; SISKIYOU COUNTY HUMAN SERVICES
DEPARTMENT v. ANGELA P.
BY THE COURT:**

Appellant's petition for rehearing is denied.
MORRISON, Acting P.J.

May 19, 2006

At 9:31 a.m., the court met in the Library and Courts Building to begin its
court calendar session. Present were Blease, Associate Justice; Davis,
Associate Justice; Hull, Associate Justice; and Facey, bailiff.

**C048176 SCHALLER v. FROST and LOTSPEICH, as Administrator, etc.
C049250 SCHALLER v. FROST**

Cause called. Stephanie J. Finelli argued for appellant. R. Kenneth Bauer
argued for respondent Frost and John W. D'ewart argued for respondent
Lotspeich. Cause submitted.

At 10:15 a.m., the court recessed until 9:30 a.m., Monday, June 19, 2006.

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The Minutes

May 19, 2006, continued

C049308 THE PEOPLE v. DeLONG (Not for Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.

Robie, J.

C050648 THE PEOPLE v. YANG (Not for Publication)

The order requiring defendant to register with law enforcement as a gang member pursuant to section 186.30 is reversed. In all other respects, the judgment (order of probation) is affirmed. The case is remanded to the trial court for the People to prove, if they choose, that defendant's crime was gang related.

ROBIE, J.

We Concur: Scotland, P.J.

Davis, J.

C049467 In re DANIEL G.; THE PEOPLE v. DANIEL G. (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Blease, Acting P.J.

Raye, J.